

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takaji WAKITA et al.

Application No.: 10/558,155

Confirmation No.: 6809

Filed: January 3, 2007

Art Unit: 1657

For: A NUCLEIC ACID CONSTRUCT
CONTAINING A NUCLEIC ACID DERIVED
FROM THE GENOME OF HEPATITIS C
VIRUS (HCV) OF GENOTYPE 2A, AND A
CELL HAVING SUCH NUCLEIC ACID
CONSTRUCT INTRODUCED THEREIN

Examiner: Not Yet Assigned

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of November 2006 for the above-identified

☒ application

☐ patent

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

AMOUNT OF
REFUND
REQUESTED

- ☐ filing fee _____
- ☐ search fee _____
- ☐ examination fee _____
- ☐ surcharge for filing the basic filing
on a date later than the filing date of
the application (37 C.F.R. § 1.16(e)) _____

and/or

- ☐ surcharge for filing the oath or declaration
on a date later than the filing date of the
application (37 C.F.R. § 1.16(e)) _____
- ☐ extension of term
- ☐ first month _____
- ☐ second month _____
- ☐ third month _____
- ☐ fourth month _____
- ☒ excess claims 200.00
- ☐ issue fee _____
- ☐ petition fee _____

- ☐ patent maintenance fee _____
- ☐ first maintenance fee _____
- ☐ second maintenance fee _____
- ☐ third maintenance fee _____
- ☐ patent maintenance fee surcharge _____
- ☐ Other: _____
- _____
- _____

TOTAL REFUND REQUESTED

200.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The USPTO charged our deposit account on November 1, 2006 in the amount of \$400.00. Upon further review of this application the pto was correct to charge an additional \$200 because when the application was filed we only paid for 3 independent claims when we should have paid for 4 independent claims. For example, claim 1, 3, 5 and 21 cited in the Preliminary Amendment filed November 23, 2005 are all independent claims. Please refund the additional charge of \$200 because this application only had 4 independent claims not 5.

IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: December 7, 2007

Respectfully submitted,

By _____
Andrew D. Meikle
Registration No.: 32,868
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Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)



United States Patent and Trademark Office

Statement

Month: Nov-06
Account
Number: 22448

Name: STEWART
KOLASCH &
BIRCH

Attention:

Address: GATEHOUSE
E ROAD
FALLS
City: CHURCH
State: VA
Zip: 22042
Country: STATES

DATE	SEQ	POSTING REF TX*	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
1-Nov	90		0943PUS1	8021	\$40.00	\$57,168.00
1-Nov	111		1153PUS2	8021	\$40.00	\$57,128.00
1-Nov	692		1171PUS1	1251	\$120.00	\$57,008.00
1-Nov	693		0171PUS1	1801	\$790.00	\$56,218.00
1-Nov	487		0146US1	7001	\$325.00	\$55,893.00
1-Nov	491		0105US1	7001	\$325.00	\$55,568.00
1-Nov	351		0505PUS1	1806	\$180.00	\$55,388.00
1-Nov	900		0445PUS1	1011	\$300.00	\$55,088.00
1-Nov	901		0445PUS1	1111	\$500.00	\$54,588.00
1-Nov	902		0445PUS1	1311	\$200.00	\$54,388.00
1-Nov	224		0194PUS1	8021	\$40.00	\$54,348.00
1-Nov	311		0445PUS1	8021	\$40.00	\$54,308.00
1-Nov	2		0114PUS1	1053	(\$130.00)	\$54,438.00
1-Nov	3		0114PUS1	1051	\$130.00	\$54,308.00
1-Nov	171			9204	(\$180.00)	\$54,488.00
1-Nov	3		0348PUS1	1617	\$130.00	\$54,358.00
1-Nov	4		0348PUS1	2614	\$300.00	\$54,058.00
1-Nov	5		0348PUS1	2616	\$180.00	\$53,878.00
1-Nov	10			9204	(\$130.00)	\$54,008.00
1-Nov	11	10558165	0299PUS1	1614	\$400.00	\$53,608.00